

Final Disposition of Bills.

SUPPLEMENT.

Number of bill or resolution	Date Filed	Vote	
		House	Senate
S. C. R. No. 34.....	May 1, 1933..... 4:00 p. m.	Adopted	Adopted
S. C. R. No. 47.....	May 1, 1933..... 9:50 a. m.	Adopted	Adopted
S. C. R. No. 48.....	May 1, 1933..... 1:28 p. m.	Adopted	Adopted
S. B. No. 92.....	April 25, 1933..... 5:00 p. m.	Yeas 88 Nays 26	Yeas 13 Nays 7
S. B. No. 526.....	May 1, 1933..... 2:35 p. m.	Yeas 117 Nays 0	Yeas 24 Nays 0
H. J. R. No. 32.....	May 1, 1933..... 1:28 p. m.	Yeas 104 Nays 18	Yeas 30 Nays 0
H. B. No. 231.....	May 1, 1933..... 10:30 a. m.	Yeas 111 Nays 8	Yeas 21 Nays 3
H. B. No. 663.....	May 1, 1933..... 2:35 p. m.	Yeas 111 Nays 0	Yeas 27 Nays 0
H. B. No. 815.....	May 1, 1933..... 2:35 p. m.	Yeas 102 Nays 4	Yeas 30 Nays 0
H. B. No. 875.....	April 29, 1933..... 2:00 p. m.	Yeas 106 Nays 1	Yeas 28 Nays 0

W. W. HEATH, Secretary of State.

SIXTY-NINTH DAY.

Senate Chamber,
Austin, Texas,
May 3, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Neal.
Blackert.	Oneal.
Collie.	Pace.
Cousins.	Parr.
DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.

Woodruff. Woodward.
Woodul.

Absent—Excused.

Greer. Purl.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent, the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Parr:

S. B. No. 546, A bill to be entitled
"An Act creating and validating

Cameron County Water Control and Improvement District, Number Nineteen, in Cameron County, Texas, under the provisions of Section 59 of Article 16 of the Constitution of Texas, for the purposes of the control, storing, preservation, and distribution of its waters and flood waters, etc., and declaring an emergency."

Read and referred to Committee on Mining, Irrigation and Drainage.

By Senator Patton:

S. B. No. 547, A bill to be entitled "An Act declaring that where any land was titled prior to the adoption of the Common Law and there has been a judicial finding that the original grantee abandoned said land prior to the adoption of the Common Law, it shall be conclusively presumed that those now claiming said land under said original grantee or his heirs by conveyance or judgment is vested with all title which was originally vested in said grantee, and declaring an emergency."

Read and referred to Committee on Civil Jurisprudence.

Senate Simple Resolution No. 97.

Senator Hopkins sent up the following resolution:

Whereas, Lyndon B. Johnson of Texas, the able and efficient Secretary of Representative Richard M. Kleberg, has been accorded marked distinction at the National Capitol by his election as president of the "Little Congress," an organization composed of secretaries of members of the Federal Congress, and

Whereas, This unusual honor has not heretofore been conferred upon a citizen of Texas and is, therefore, a merited and deserved tribute to Mr. Johnson's capacity, ability and popularity, therefore be it

Resolved, That the Senate of Texas hereby express its appreciation of the honor and distinction which Mr. Johnson's election has brought to our State and that it extends to him and the members of the "Little Congress" its hearty and sincere congratulations.

Resolved further, That the Secretary of the Senate forward copies of this resolution to Mr. Johnson, the Speaker of the House of Represent-

atives and the Vice-President of the United States.

HOPKINS.

Read and adopted.

Bills Signed.

The Chair, Lieutenant Governor Edgar E. Witt, gave notice of signing, and did sign, in the presence of the Senate, after their captions had been read, the following bills:

H. B. No. 338. S. C. R. No. 46.
H. B. No. 646.

Senators Excused.

Senators Greer and Purl were excused for the day on account of important business, on motion of Senator Poage.

S. J. R. No. 30.

Senator Woodul called up from the Journal the motion to reconsider the vote by which S. J. R. No. 30, (\$20,000,000 bond issue to relieve unemployment) failed to finally pass yesterday. The motion prevailed.

The resolution was finally passed by the following vote:

Yeas—22.

Beck.	Patton.
Cousins.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Hopkins.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Neal.	Stone.
Oneal.	Woodruff.
Pace.	Woodul.
Parr.	Woodward.

Nays—6.

Blackert.	Holbrook.
Collie.	Murphy.
DeBerry.	Poage.

Absent.

Moore.

Absent—Excused.

Greer.

Purl.

Free Conference Report.

Senator Small called up the free conference committee report on S. B. No. 195 (Congressional re-districting).

The report was read and adopted by the following vote:

Yeas—29.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Greer. Purl.

Reasons For Vote.

I vote for the conference report which, as adopted, is not exactly as I would like to see the district. But in the interest of re-districting of the State and the obligation which I owe to the people of Texas to re-district congressionally, I vote for the approval of this conference report.

PACE.

I vote "yea" on the conference report on S. B. No. 195 for the reason that I would prefer to have a poor bill rather than no bill at all. My rights, however, as far as my congressional and senatorial districts are concerned have been utterly disregarded, and even my home county of Panola arbitrarily placed under another congressman, in District No. 3, without my having been consulted by the author of the bill in the Senate, or by the conference committee from this body.

NEAL.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has refused to concur in Senate amendments to H. B. No. 845 and requests the appointment of a conference committee to adjust the dif-

ferences between the two Houses. The following are appointed on the part of the House:

MOFFETT,
ALEXANDER,
HARRIS,
RATLIFF,
TENNYSON,

The House has concurred in Senate amendments to H. J. R. No. 43 by a vote of 104 yeas, 7 nays.

The House has concurred in Senate amendments to H. B. No. 242 by a viva voce vote.

The House has concurred in Senate amendments to H. B. No. 873 by a vote of 105 yeas, 0 nays.

The House has adopted the Conference Committee report on S. B. No. 195 by a vote of 88 yeas, 33 nays.

The House has adopted the Conference Committee report on H. B. No. 231 by a vote of 105 yeas, 9 nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Motion to Grant Free Conference.

On motion of Senator Oneal, the Senate voted to grant the request of the House for a Free Conference Committee on H. B. No. 845.

The Chair appointed the following on the part of the Senate:

ONEAL,
WOODWARD,
POAGE,
DUGGAN,
BECK.

Motion for Free Conference.

On motion of Senator Rawlings, the Senate voted not to concur in the House amendment to S. J. R. No. 3 and to request the appointment of a Free Conference Committee.

The Chair appointed the following on the part of the Senate:

RAWLINGS,
PURL,
WOODRUFF,
REGAN,
WOODWARD.

Senate Bill No. 329.

The Chair laid before the Senate as pending business the following bill:

By Senator Holbrook:

S. B. No. 329, A bill to be entitled "An Act making appropriations to pay miscellaneous claims against the State of Texas and authorizing payment of said miscellaneous claims on taking effect of this Act; and declaring an emergency."

The question recurred upon the pending amendment by Senator Purl.

Senator Woodruff moved to table the amendment. The motion prevailed.

Senator DeBerry asked to be recorded as voting "No."

Senator Woodruff sent up the following amendments:

Amend C. S. S. B. No. 329 by adding the following:

To pay Central Finance Company, trade name of W. P. Burch of Gainesville, Texas, refund of occupation tax collected under H. B. No. 251, Regular Session, Forty-second Legislature, and held unconstitutional by the courts \$200.00.

WOODRUFF.

Read and adopted.

Amend S. B. No. 329, by striking out all refund of overpayment of franchise tax, filing fees, inheritance tax, gross receipts, gross production and occupation tax.

WOODRUFF.

The amendment was read.

Executive Session.

At 11:45 o'clock a. m., the Chair announced that the hour for the executive session had arrived. The Chamber was cleared and the doors were locked.

After Executive Session.

At the conclusion of the executive session, the Secretary of the Senate informed the Journal Clerk that the following action had been taken:

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Governor's Nominations, beg leave to report that we have considered the appointees recommended by the Governor, and I, as Chairman of said Committee, am instructed to recommend that the following named persons for the following named positions be in all things confirmed:

To be Members of the San Jacinto State Park Commission:

Hon. Morris Rosenthal, of Harris County, Texas.

Mrs. W. C. Corbett, of Harris County, Texas.

Hon. Thomas Kehoe, of Harris County, Texas.

To be Members of the State Board of Accountancy:

Hon. Frank L. Wilcox, of McLennan County, Texas.

Hon. S. J. Von Koenneritz, of Travis County, Texas.

Hon. W. T. Chumney of Bexar County, Texas.

Hon. Victor Edward Buron, of Bowie County, Texas.

Hon. J. J. Gannon, of Harris County, Texas.

Respectfully submitted,

MARTIN, Chairman.

Adopted.

Recess.

On motion of Senator Woodruff, the Senate, at 12:02 o'clock p. m., recessed until 2 o'clock p. m.

After Recess.

The Senate met at 2 o'clock p. m., pursuant to recess, and was called to order by Lieutenant Governor Edgar E. Witt.

Senate Bill No. 329.

The question recurred upon the pending amendment by Senator Woodruff to S. B. No. 329.

Senator Collie raised the point of order that a quorum was lacking.

The roll call showed 21 present.

Senator Woodul moved to table the amendment. The motion prevailed by the following vote:

Yeas—17.

Blackert.	Pace.
Collie.	Parr.
Cousins.	Redditt.
Duggan.	Regan.
Fellbaum.	Russek.
Holbrook.	Sanderford.
Martin.	Small.
Moore.	Woodul.
Murphy.	

Nays—3.

DeBerry.	Poage.
Hornsby.	

Present—Not Voting.

Neal.

Absent.

Beck.	Rawlings.
Hopkins.	Stone.
Oneal.	Woodruff.
Patton.	Woodward.

Absent—Excused.

Greer.

Purl.

Senator Woodul sent up the following amendment:

Amend S. B. No. 329 by adding after the last item on page 7 of the printed bill, being lines 20 and 21, the following:

To pay Houston Realty Syndicate, Houston, Texas, for refund account error in computation of valuation of 180.84 acres of land out of the Gray Survey, Harris County\$438.62

And amend the total in line 23, page 7 of the printed bill accordingly.

WOODUL.

Read and adopted.

Senator Collie sent up the following amendment:

Amend S. B. No. 329, at the end thereof, by adding the following:

To pay G. F. Davis, of Rule, Texas, for refund of gasoline tax (gasoline used on road construction work).....\$504.92

COLLIE.

The amendment was read.

Senator Holbrook moved to table the amendment. The motion was lost by the following vote:

Yeas—9.

DeBerry.	Parr.
Holbrook.	Poage.
Hornsby.	Rawlings.
Moore.	Stone.
Murphy.	

Nays—15.

Blackert.	Martin.
Collie.	Neal.
Cousins.	Pace.
Duggan.	Patton.
Fellbaum.	Redditt.

Regan.
Russek.
Sanderford.

Small.
Woodul.

Absent.

Beck.	Woodruff.
Hopkins.	Woodward.
Oneal.	

Absent—Excused.

Greer.

Purl.

Senator Holbrook moved to lay the bill on the table subject to call. The motion was lost.

Senator DeBerry moved to postpone further consideration of the bill until Senator Woodruff returned to the Senate Chamber. The motion prevailed by the following vote:

Yeas—14.

Beck.	Murphy.
DeBerry.	Neal.
Duggan.	Parr.
Fellbaum.	Poage.
Holbrook.	Rawlings.
Hornsby.	Stone.
Moore.	Woodward.

Nays—11.

Blackert.	Regan.
Collie.	Russek.
Cousins.	Sanderford.
Martin.	Small.
Patton.	Woodul.
Redditt.	

Absent.

Hopkins.	Pace.
Oneal.	Woodruff.

Absent—Excused.

Greer.

Purl.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, May 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has granted the request of the Senate for the appointment of a Conference Committee to consider the differences between the two Houses on S. J. R. No. 3. The following are conferees on the part of the House:

Morse, Ford, Shannon, Dean, and Moffett.

The House has passed the following bills:

S. B. No. 300, A bill to be entitled "An Act to amend Sections 7 and 8 of Chapter 13, Acts of the Third Called Session of the Forty-second Legislature; making an appropriation of moneys deposited to the credit of the County and Road District Highway Fund up to September 1, 1935, for application on the payment of principal, interest and sinking fund on eligible obligations of the county and road districts of the State maturing from September 1, 1933 to September 1, 1935, making appropriation to defray the expenses incident to the administration of said act; providing for the payment of all sinking funds on eligible issues into the State Treasury, providing for the investment of such funds and purchase of bonds by the Board of County and Road District Indebtedness; and declaring an emergency."

S. B. No. 312, A bill to be entitled "An Act to add to the Revised Civil Statutes of Texas a new article to be known as Article 6479-a, relating to the frequency of freight train service required on railroads in this State and the furnishing of freight cars for loading; and repealing all conflicting laws and parts thereof; and declaring an emergency."

S. B. No. 331, A bill to be entitled "An Act to amend Article 6479 of the Revised Civil Statutes of Texas, as amended by Chapter 198 of the Acts of the First Called Session of the Thirty-ninth Legislature relating to passenger service on railroads by providing for a relaxation by the Railroad Commission of Texas, under prescribed conditions of the requirement of one train each day, Sundays excepted, and declaring an emergency."

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Free Conference Report.

Senator Small sent up the following free conference committee report:

Committee Room,
Austin, Texas, April 19, 1933.
Hon. Edgar E. Witt, President of the Senate.
Hon. Coke Stevenson, Speaker of the House of Representatives.
Sirs: We, your Conference Com-

mittee, appointed to adjust the differences between the two Houses on House Bill No. 19, have had the same under consideration, and beg leave to submit the following:

H. B. No. 19.

A BILL

To Be Entitled

An Act to amend Article 1569 and Article 1572, Chapter 3, Title 18, Revised Penal Code of the State of Texas of 1925, providing for penalties and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. That Articles 1569 and 1572, Chapter 3, Title 18, of the Revised Penal Code of the State of Texas be amended so as to hereafter read as follows:

"Article 1569. Hours of Work. No female shall be employed:

1. In any factory, mine, mill, workshop, mechanical or mercantile establishment, hotel, restaurant, rooming house, theater, moving picture show, barber shop, beauty shop, road side drink and/or food vending establishment, telegraph, telephone or other office, express or transportation company, or any State institution, or any other establishment, institution or enterprise where females are employed, for more than nine hours in any one calendar day nor more than fifty-four hours in any one calendar week. 2. In any laundry or cleaning and pressing establishment for more than fifty-four hours in one calendar week; the hours of work to be so arranged as to permit the employment of such female at any time so that she shall not work more than a maximum of eleven hours during the twenty-four hour period of one day. 3. In any factory engaged in the manufacture of cotton, woolen or worsted goods or articles of merchandise manufactured out of cotton goods, for more than ten hours in any one calendar day nor more than sixty hours in any one calendar week."

"Article 1572: Punishment. Any employer, overseer, superintendent, foreman or other agent of any such employer who shall permit any female to work in any place mentioned in the 1st Article of this Chapter more than the number of

hours provided therein in any one day of twenty-four (24) hours or in any one week, or who shall violate any of the other provisions of requirements of this Chapter in any respect, or who having furnished and provided suitable seats as provided for in the 2nd Article of this Chapter, shall by intimidation, instruction, threats, or in any manner prevent such female from sitting thereon, when not attending the duties of her position, shall be fined not less than fifty dollars (\$50.00) nor more than two hundred dollars (\$200.00). Each day of such violation and each calendar week of such violation, and each such employee permitted to work in said places more than the hours so specified in this Chapter, and every other violation of the provisions of this Chapter shall be considered a separate offense."

Sec. 2. The fact that the Court of Criminal Appeals recently held in ex parte Butcher that no punishment was fixed by law for such employers and others who permit a female employee to work more than fifty-four (54) hours in any calendar week, and the necessity for protecting the young girls and women of this State from overwork in the places so specified in said Chapter of the Penal Code, creates an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House be and the same is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Respectfully submitted,
BRADLEY,
HUGHES,
BEDFORD,
JEFFERSON,
ANDERSON,

On the part of the House.

SMALL,
HOPKINS,
NEAL,
MURPHY,

On the part of the Senate.

Read and adopted by the following vote:

Yeas—27.

Beck.
Blackert.

Collie.
Cousins.

DeBerry.	Patton.
Duggan.	Poage.
Fellbaum.	Rawlings.
Holbrook.	Redditt.
Hopkins.	Regan.
Hornsby.	Russek.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Neal.	Woodul.
Pace.	Woodward.
Parr.	

Absent.

Oneal.

Woodruff.

Absent—Excused.

Greer.

Purl.

Senate Bill No. 246.

Senator Parr asked unanimous consent to suspend the regular order of business and take up S. B. No. 246.

The Chair, Lieutenant Governor Edgar E. Witt, held that, this being House Bill day and the House bills not having yet been disposed of, the request was out of order.

H. C. R. No. 78.

The Chair, laid before the Senate: H. C. R. No. 78, Authorizing correction of H. J. R. No. 14, relative to the fee system.

On motion of Senator DeBerry, the resolution was laid on the table subject to call.

Message from the House.

Hall of the House of Representatives,
Austin, Texas, May 3, 1933.
Hon. Edgar E. Witt, President of the Senate.

Sir: I am directed by the House to inform the Senate that the House has passed the following bill:

S. B. No. 483, A bill to be entitled "An Act providing for the creation of water supply districts pursuant to Section 59, Article 16, of the Constitution, etc., and declaring an emergency."

(With amendments.)

Respectfully submitted,
LOUISE SNOW PHINEY,
Chief Clerk, House of Representatives.

Free Conference Report.

Senator Small called up the Free Conference report on H. B. No. 28.
The report was read.

Senator Poage moved to reject the report and instruct the Conference Committee to continue its consideration of the bill. The motion was lost.

The report was adopted by the following vote:

Yeas—18.

Blackert.	Neal.
Cousins.	Oneal.
DeBerry.	Parr.
Duggan.	Rawlings.
Fellbaum.	Redditt.
Holbrook.	Regan.
Hornsby.	Russek.
Moore.	Small.
Murphy.	Stone.

Nays—7.

Beck.	Sanderford.
Collie.	Woodul.
Martin.	Woodward.
Poage.	

Absent.

Hopkins.	Patton.
Pace.	Woodruff.

Absent—Excused.

Greer.	Purl.
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Motion to Concur.

Senator Parr moved to concur in the House amendment to S. B. No. 483. The motion prevailed by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins.	Woodruff.
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Absent—Excused.

Greer.	Purl.
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Free Conference Report.

Senator Oneal sent up the following Free Conference Committee report:

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Hon. Coke Stevenson, Speaker of the House.

Sirs: We, your conferees, heretofore appointed to adjust the differences between the two Houses in respect to H. B. No. 845, have duly adjusted the differences between the two Houses, and beg to report it back to the respective Houses with the recommendation that the attached bill be adopted in lieu of the bill as finally passed.

ONEAL,
POAGE,
WOODWARD,
DUGGAN.

On part of the Senate.

MOFFETT,
ALEXANDER,
HARRIS,
RATLIFF,
TENNYSON.

On part of the House.

By Moffett.

H. B. No. 845.

A BILL

To Be Entitled

An Act authorizing independent school districts to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia or other recreational facilities, and to encumber the same and the income thereof to secure the payment of the purchase price to evidence the indebtedness created thereby by the issuance of bonds, notes or other evidences of indebtedness; providing that the purchaser shall have a franchise to operate same in case of foreclosure; providing that such obligations shall never be a debt of such school district; providing that such projects shall be deemed self-liquidating in character; providing that repairs to such properties shall be a first lien; providing that the tolls, fees, and other charges made for the use thereof shall be at a rate sufficient to pay the current interest

and provide the necessary sinking fund therefor; providing the form of contract, bonds or notes, and for the examination of bonds by the Attorney General and registration of same by the Comptroller; providing that no contract, bond or note, or other evidence of indebtedness authorized herein shall be issued under this Act after one year from the effective date of this Act; providing that no land upon which is situated school improvements shall be subject to the indebtedness created hereunder, and declaring an emergency.

Be it enacted by the Legislature of the State of Texas:

Section 1. All independent school districts, including independent school districts which are now, or may hereafter be, controlled by any city or town within this State, shall have power to build or purchase buildings and grounds for the purpose of constructing gymnasias, stadia, or other recreational facilities, and to mortgage and encumber the same, and the income, tolls, fees, rents, and other charges thereof, and everything pertaining thereto, acquired or to be acquired, and to evidence the obligation therefor by the issuance of bonds, notes or warrants to secure the payment of funds to purchase same, including the purchase of equipment and appliances for use therein, and as additional security therefor by the terms of such encumbrance, may grant to the purchaser under sale or foreclosure thereof a franchise to operate said properties so purchased for a term of not more than ten (10) years after such purchase. No such obligation shall ever be a debt of any such school district and/or incorporated city or town, but solely a charge upon the property so encumbered, and shall never be reckoned in determining the power of any such school district to issue bonds for any other purpose authorized by law; providing that no election for the issuance of the evidence of indebtedness herein authorized shall be necessary, but may be authorized by a majority vote of the Board of Trustees of such school district.

Sec. 2. Projects financed in accordance with this law are hereby

declared to be self-liquidating in character and supported by charges other than taxation.

Sec. 3. Whenever the income of any such property shall be encumbered under this law the expense for any repairs necessary to preserve such property shall always be a first lien and charge against such encumbrance. The tolls, fees, rents and other charges made and to be made for the use and in connection with such properties shall be at a rate sufficient to pay the necessary repairs to such building and all interest and sinking funds required to pay any evidence of indebtedness issued to purchase or construct such properties. No part of the income of such property shall ever be used to pay any other debt, expense or obligation of such school district until the indebtedness to secure shall have been finally paid.

Sec. 4. Every contract, bond or note, or other evidence of indebtedness issued or executed under this law shall contain the following clause:

"The holder hereof shall never have the right to demand payment of this obligation out of any funds raised or to be raised by taxation."

When bonds are executed hereunder they may be presented to the Attorney General for his approval as provided for the approval of other school bonds and in such case the bond shall be registered by the State Comptroller as in the case of other school bonds.

Sec. 5. No contract, bond or note, or other evidence of indebtedness authorized to be issued or executed under this Act, shall be issued or executed after the expiration of one year from the effective date of this Act.

Sec. 6. No land upon which is situated any of the school improvements other than as described herein shall ever be subject to the payment of any indebtedness created hereunder, nor shall any encumbrance ever be executed thereon.

Sec. 7. The fact that many school districts are in need of the facilities hereunder described and that the taxing power of such school districts is limited and will not permit the levying of a tax to purchase same, creates an emergency and an im-

perative public necessity demanding the suspension of the constitutional rule requiring bills to be read on three several days in each House and said rule is hereby suspended, and this Act shall take effect and be in force from and after its passage, and it is so enacted.

Read and adopted by the following vote:

Yeas—22.

Beck.	Patton.
Blackert.	Poage.
Cousins.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Hornsby.	Russek.
Moore.	Sanderford.
Neal.	Small.
Oneal.	Stone.
Pace.	Woodul.
Parr.	Woodward.

Nays—3.

Collie.	Martin.
DeBerry.	

Absent.

Holbrook.	Murphy.
Hopkins.	Woodruff.

Absent—Excused.

Greer.	Purl.
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Senate Simple Resolution No. 98.

Senator Woodul sent up the following resolution:

Whereas, The Senator from Bexar has on this day been made happy by the advent into this world of his first grandson, and

Whereas, All members of the Senate join in his rejoicing; and

Whereas, The said grandson is named after his illustrious grandfather and father, and both the young man and his mother are doing well, now, therefore, be it

Resolved by the Senate, That the Senate of Texas congratulate Senator Fellbaum, Senator Fellbaum's son and the mother of the young man and wish for the young man a long, happy and prosperous life. Be it further

Resolved, That the Secretary of the Senate send a telegram of congratulations to the mother, Mrs. Ernest

Fellbaum, Jr., care Santa Rosa Hospital, San Antonio, Texas.

WOODUL,	NEAL,
REDDITT,	ONEAL,
PACE,	PARR,
COLLIE,	PATTON,
BECK,	POAGE,
BLACKERT,	PURL,
COUSINS,	RAWLINGS,
DeBERRY,	REGAN,
DUGGAN,	RUSSEK,
GREER,	SANDERFORD,
HOLBROOK,	SMALL,
HOPKINS,	STONE,
HORNSBY,	WOODRUFF,
MARTIN,	WOODWARD,
MOORE,	LT. GOV. WITT.
MURPHY,	

Read and adopted.

H. C. R. No. 38.

Senator Collie called up from the table:

H. C. R. No. 38, Granting Interstate Contracting Company permission to sue the State.

Read and adopted.

House Bill No. 827.

The Chair laid before the Senate on its second reading the following bill:

H. B. No. 827, A bill to be entitled "An Act designating fur-bearing animals, declaring them the property of the State, declaring a five-year closed season on wild fox in certain counties; providing a penalty for violation of this Act, and declaring an emergency."

The committee report recommending that the bill be not printed was adopted by unanimous consent.

The bill was read second time and passed to third reading.

On motion of Senator Cousins, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 827 was put on its third reading and final passage by the following vote:

Yeas—27.

Beck.	Hornsby.
Blackert.	Martin.
Collie.	Moore.
Cousins.	Murphy.
DeBerry.	Neal.
Duggan.	Oneal.
Fellbaum.	Pace.
Holbrook.	Parr.

Patton.	Sanderford.
Poage.	Small.
Rawlings.	Stone.
Redditt.	Woodul.
Regan.	Woodward.
Russek.	

Absent.

Hopkins.

Absent—Excused.

Greer.	Woodruff.
Purl.	

Read third time and finally passed
by the following vote:

Yeas—27.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Absent.

Hopkins. Woodruff.

Absent—Excused.

Greer. Purl.

House Bill No. 825.

The Chair laid before the Senate
on its second reading the following
bill:

H. B. No. 825, A bill to be entitled
"An Act to amend Chapter 2 of Title
116 of the Revised Civil Statutes of
Texas, 1925, by adding to said chap-
ter a new article to be known as
'Article 6711-a,' providing that upon
application of ten or more resident
citizens of the Counties of Polk,
Trinity, Angelina, or Tyler, or one
person living within an enclosure of
two thousand (2,000) acres or more
in said counties, the commissioners
court of said county shall open a
road through said enclosure of land,
or between different persons or own-
ers of land, or along any section
line, or along any survey line, or
along any survey subdivision line,

where said land is adjacent or con-
tiguous to public rivers, lakes, or
bays in the Counties of Polk, Trin-
ity, Angelina, or Tyler; providing
for notice and hearing on said appli-
cation; providing for damages to
landowners where roads are opened;
providing that the commissioners
court shall not be required to keep
such roads worked; providing that
this Act shall only apply where there
is a space of at least five (5) miles
along any navigable river, lake, or
bay with no present road or public
thoroughfare; providing for laying
out of right of way of the width of
sixty (60) feet running parallel to
the outbank of any navigable stream
in these aforementioned counties;
declaring a public necessity for cer-
tain roads provided for herein, etc.,
and declaring an emergency."

Read second time.

On motion of Senator Woodul, the
bill was laid on the table subject to
call.

House Bill No. 799.

The Chair laid before the Senate
on its second reading, by unanimous
consent, the following bill:

By Mr. Haag:

H. B. No. 799, A bill to be entitled
"An Act to amend Article 1601,
Chapter 5, Title 33, of the Revised
Civil Statutes of the State of Texas,
1925, as amended by Acts, 1927,
Fortieth Legislature, Regular Ses-
sion, page 264, Chapter 185, so as to
require all indebtedness against a
courthouse, or courthouses, shall be
paid in full before the county seat
of any county can be moved from
its present location; repealing all
laws or parts of laws in conflict
herewith; declaring a rule of con-
struction; and declaring an emer-
gency."

Read second time.

Senator Duggan sent up the fol-
lowing amendment:

Amend H. B. No. 799 by adding
to line 45, immediately following the
word "full," the following:

"Provided that the provisions of
this Act shall not apply to counties
where the county seat is at the time
of the passage of this Act located
more than fifteen miles air-line
from a railroad."

DUGGAN.

Read and adopted.

The bill was passed to third read-
ing.

On motion of Senator Regan, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 799 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Hopkins.

Absent—Excused.

Greer. Purl.

Read third time and finally passed by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Hopkins.

Absent—Excused.

Greer. Purl.

House Bill No. 11.

The Chair laid before the Senate on its second reading by unanimous consent, the following bill:

By Mr. Van Zandt et al.:

H. B. No. 11, A bill to be entitled "An Act authorizing the payment to

the head of any department of the State government of occupation, gross receipts, franchise, license, or other privilege taxes or fees under protest upon the supposed ground of invalidity of the tax or lack of power to collect the same, etc., and declaring an emergency."

Read second time.

Senator Woodward sent up the following amendment:

Add to Section 1 of H. B. No. 11:

Provided, however, that no such person, firm or corporation shall be required to file a protest until the Attorney General has specifically passed upon such occupation, gross receipts, franchise, license or other prevailing tax or fee, and has expressly held same to be valid and collectible.

Sec. 2. Upon the receipt of the opinion of the Attorney General, and the payment of such taxes or fees accompanied by such written protest, the taxpayer shall have ninety days from said date within which to file suit for the recovery thereof in the Supreme Court and/or any court of competent jurisdiction in Travis County, Texas. Such suit shall be brought against the public official charged with the duty of collecting such tax or fees, the State Treasurer and the Attorney General. The right of appeal shall exist as in other cases provided by law.

Sec. 6a. Where it shall appear that any taxpayer to whom the provisions of this Act shall apply has erroneously paid more taxes than were due during any previous tax paying period for the payment of such taxes, either on account of an invalid statute, or by reason of mistake of fact or law, such tax collecting official shall have the authority, and it is hereby made his duty, to credit the total amount of taxes due by such taxpayer, for the current period with the total amount of taxes so erroneously paid.

WOODWARD.

Read and adopted.

The bill was passed to third reading.

On motion of Senator Hornsby, the constitutional rule requiring bills to be read on three several days was suspended and H. B. No. 11 was put on its third reading and final passage by the following vote:

Yeas—28.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hornsby.	Sanderford.
Martin.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Absent.

Hopkins.

Absent—Excused.

Greer. Purl.

Read third time and finally passed
by the following vote:

Yeas—24.

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Sanderford.
Hornsby.	Small.
Moore.	Stone.
Murphy.	Woodruff.
Neal.	Woodul.
Oneal.	Woodward.

Nays—3.

DeBerry. Russek.
Martin.

Absent.

Hopkins. Poage.

Absent—Excused.

Greer. Purl.

Message From the House.

Hall of the House of Representatives,
Austin, Texas, May 3, 1933.
Hon. Edgar E. Witt, President of the
Senate.

Sir: I am directed by the House
to inform the Senate that the House
has adopted the free conference
committee report on H. B. No. 845
by a vote of 117 yeas and no nays.

Respectfully submitted,

LOUISE SNOW PHINNEY,
Chief Clerk, House of Representatives.

Senate Bill No. 329.

Senator Woodruff called up from
the table S. B. No. 329.

The question recurred upon the
pending amendment by Senator Col-
lie.

The amendment was lost.

Senator Woodruff sent up the fol-
lowing amendment:

Amend S. B. No. 329 by adding
the following:

"Dallas Transportation Co. to pay refund of gasoline tax	\$ 22.76
Vilbig Brothers, Inc., to pay refund of gasoline tax....	126.60
Vilbig Brothers, Inc., to pay refund of gasoline tax	136.80
Vilbig Brothers, Inc., to pay refund of gasoline tax	12.22
Roy Mathews, to pay re- fund of gasoline tax....	10.80

Total\$ 308.58"

WOODRUFF.

The amendment was read.

Senator Russek moved to table
the amendment. The motion pre-
vailed.

Senator Moore sent up the follow-
ing amendment:

Amend S. B. No. 329, page 7, by
adding between lines 20 and 21 the
following:

To pay W. W. Waid, Huntsville, Texas, for expenses incurred in go- ing after and returning fugitives of the State to be paid when proper cer- tificates from the Gov- ernor are furnished to the Comptroller	\$ 229.55
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MOORE.

Read and adopted.

Amend S. B. No. 329, page 7, be-
tween lines 21 and 22 by adding the
following:

To pay Beall Hardware Company, Greenville, Texas, for refund of franchise tax paid after charter expired	\$ 17.50
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MOORE.

Read and adopted.

Senator Cousins sent up the following amendments:

Amend S. B. No. 329 by inserting after line 21, page 7, the following:

"To pay I. W. Lawhon for services as Special Associate Justice, Court of Civil Appeals, Ninth District, in Cause No. 2159, Sovereign Camp Woodmen of the World, vs. Sarah Elizabeth Shires, et al., \$70.00."

COUSINS.

Read and adopted.

Amend S. B. No. 329, by inserting after line 21, page 7, the following:

"To pay W. H. Davidson as services as Special Associate Justice, Court of Civil Appeals, Ninth District, in Cause No. 2159, Sovereign Camp Woodmen of the World, vs. Sarah Elizabeth Shires, et al., \$70.00."

COUSINS.

Read and adopted.

Senator Fellbaum sent up the following amendment:

Amend S. B. No. 329 by adding thereto the following:

"Mrs. S. S. Heard, San Antonio, Texas. Services as secretary to Mrs. King while Chairman of Board of Supervision of State Penitentiaries, \$447.00."

FELLBAUM.

The amendment was read.

Senator Holbrook moved to table the amendment. The motion prevailed by the following vote:

Yeas—13.

Collie.	Murphy.
DeBerry.	Oneal.
Duggan.	Pace.
Holbrook.	Parr.
Hopkins.	Poage.
Hornsby.	Woodruff.
Moore.	

Nays—10.

Fellbaum.	Russek.
Martin.	Sanderford.
Neal.	Small.
Patton.	Stone.
Rawlings.	Woodul.

Absent.

Beck.	Redditt.
Blackert.	Regan.
Cousins.	Woodward.

Absent—Excused.

Greer.

Purl.

Senator Poage sent up the following amendment:

Amend S. B. No. 329 by adding the following:

To pay B. M. Price for double payment of transfer fee, \$165.00.

POAGE.

Read and adopted.

Senator Rawlings sent up the following amendment:

Amend S. B. No. 329, between lines 27 and 28 on page 6, by adding thereto a new item to read as follows:

To pay T. C. McClure of Fort Worth, Texas, for witness fees and mileage attending court at Anson, Texas, \$18.52.

And amend caption to conform.

RAWLINGS.

The amendment was read.

Senator Holbrook moved to table the amendment. The motion was lost.

The amendment was lost.

Senator Rawlings sent up the following amendment:

Amend S. B. No. 329 between lines 14 and 15 by adding thereto a new item to read as follows:

"To pay the Associated Oil Company, Fort Worth, Texas, for refund of overpayment of filing fees, \$2,500.00."

And amend the caption to conform.

RAWLINGS.

Read and adopted.

Senator Small sent up the following amendments:

Amend S. B. No. 329 by adding a new item reading as follows:

To pay Hubert Tindall refund on occupation tax, \$6.00.

SMALL.

Read and adopted.

Amend S. B. No. 329 by adding after line 21 page 7 a new item reading as follows:

To pay A. J. Mackie refund on license on four trucks, \$1900.00.

SMALL.

The amendment was read.

Senator Woodruff moved to table the amendment. The motion prevailed by the following vote:

Yeas—13.

Blackert.	Neal.
Cousins.	Oneal.
DeBerry.	Pace.
Holbrook.	Poage.
Hornsby.	Woodruff.
Martin.	Woodul.
Murphy.	

Nays—11.

Collie.	Regan.
Fellbaum.	Russek.
Moore.	Sanderford.
Parr.	Small.
Patton.	Stone.
Rawlings.	

Absent.

Beck.	Redditt.
Duggan.	Woodward.
Hopkins.	

Absent—Excused.

Greer.	Purl.
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Senator Small sent up the following amendment:

Amend S. B. No. 329, by adding the following items:

B. H. Davidson, Amarillo, witness fees, cause No. 433, Briscoe County	\$ 9.20
Howard Blackburn, Amarillo, witness fees, cause No. 433, Briscoe County	9.20
Jack Lewis, Amarillo, witness fees, cause No. 433, Briscoe County	9.20
R. Johnston, Spur, witness fees, cause No. 433, Briscoe County	13.84
Grover Heath, Hedley, witness fees, cause No. 433, Briscoe County	11.72
J. B. Reed, Hedley, witness fees, cause No. 433, Briscoe County	11.72
Speck Armstrong, Hedley, witness fees, cause No. 433, Briscoe County	11.72
Raymond Killian, Hedley, witness fees, cause No. 433, Briscoe County	12.04
Ross Adamson, Hedley, witness fees, cause No. 433, Briscoe County	12.12
Bryan McPherson, Hedley, witness fees, cause No. 433, Briscoe County	12.20
Marshall Vaughan, Tulia, witness fees, cause No. 433, Briscoe County	4.40

O. C. Sargent, Hedley, witness fees, cause No. 433, Briscoe County	11.92
J. H. Bennett, Hedley, witness fees, cause No. 433, Briscoe County	11.72
Henry Posey, Hedley, witness fees, cause No. 433, Briscoe County	11.72
Carl Dickson, Hedley, witness fees, cause No. 433, Briscoe County	12.92
E. T. Clay, Hedley, witness fees, cause No. 433, Briscoe County	12.68
M. B. Meek, Hedley, witness fees cause No. 433, Briscoe County	11.72
Casey Meek, Hedley, witness fees cause No. 433, Briscoe County	11.72
Everett Smith, Hedley, witness fees case No. 433, Briscoe County	11.72
Mrs. J. N. Smith, Hedley, witness fees cause No. 433, Briscoe County	11.72

SMALL.

The amendment was read.

Senator Woodruff moved to table the amendment. The motion was lost.

The amendment was adopted by the following vote:

Yeas—15.

Collie.	Rawlings.
Cousins.	Regan.
Duggan.	Russek.
Fellbaum.	Sanderford.
Moore.	Small.
Oneal.	Stone.
Pace.	Woodul.
Patton.	

Nays—8.

Blackert.	Martin.
DeBerry.	Neal.
Holbrook.	Poage.
Hornsby.	Woodruff.

Absent.

Beck.	Parr.
Hopkins.	Redditt.
Murphy.	Woodward.

Absent—Excused.

Greer.	Purl.
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Senator Small sent up the following amendment:

Amend S. B. No. 329, Section 2, page 7, by striking out after the words beginning with "to which" in line 28 and ending with the word "approval" in line 41.

PARR.

The amendment was read.

Senator Woodruff sent up the following substitute for the amendment:

Amend C. S. S. B. No. 329 by striking out from the word "to" after the word "same" line 28, page 7, down to the word "thereof," line 31, page 7, both words inclusive, and insert in lieu thereof the following:

"Provided that no payment of the money herein appropriated shall be made without the express approval of the Attorney General."

WOODRUFF.

The substitute was read.

Senator Woodul moved to table the substitute. The motion to table prevailed by the following vote:

Yeas—18.

Beck.	Parr.
Blackert.	Patton.
Collie.	Rawlings.
Duggan.	Regan.
Fellbaum.	Russek.
Martin.	Sanderford.
Moore.	Small.
Murphy.	Stone.
Pace.	Woodul.

Nays—7.

Cousins.	Oneal.
DeBerry.	Poage.
Holbrook.	Woodruff.
Hornsby.	

Present—Not Voting.

Neal.

Absent.

Hopkins.	Woodward.
Redditt.	

Absent—Excused.

Greer. Purl.

Adjournment.

Senator Cousins moved to adjourn until 10 o'clock tomorrow morning.

Senator Holbrook moved to recess until 8 o'clock tonight.

Senator DeBerry moved to recess until 9 o'clock tomorrow morning.

The motion to adjourn prevailed and at 6:05 o'clock p. m., the Senate adjourned.

APPENDIX.

Committee on Enrolled Bills.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Enrolled Bills, have had S. C. R. No. 46, carefully examined and compared and find same correctly enrolled.

GREER, Chairman.

Committee on Engrossed Bills.

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Engrossed Bills, have had S. B. No. 454, carefully examined and compared and find same correctly engrossed.

REGAN, Chairman.

Committee Reports.

Committee Room,

Austin, Texas, May 2, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee of the Whole Senate, to whom was referred H. B. No. 213,

Have had the same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass.

WOODUL, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Finance, to whom was referred

H. B. No. 891, A bill to be entitled "An Act providing for the payment by the Secretary of State for the printing of constitutional amendments submitted by the Forty-second Legislature, out of moneys appropriated by the Forty-second Legislature, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

HOLBROOK, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. C. R. No. 59, Granting Albert Moore permission to sue the State, etc.

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

HOPKINS, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Criminal Jurisprudence, to whom was referred

H. B. No. 360, A bill to be entitled "An Act to amend Article 451 of the Code of Criminal Procedure, 1925, relating to the taking of bail in felony cases; providing that in cases of arrest for felony less than capital the sheriff may take the bail and providing a manner of requiring new bail after indictment if insufficient bail has been taken; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

SMALL, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Game and Fish, to whom was referred

H. B. No. 133, A bill to be entitled "An Act amending Article 923-H, Title 13, Chapter 6 of the Penal Code of the State of Texas, providing for the sale by tanners and taxidermists of specimens in their possession unclaimed after the expiration of ninety (90) days, and exempting said tanners and taxidermists from penalties for posses-

sion, sale, barter and trade of hides, heads, and carcasses of animals during closed seasons."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

REDDITT, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Mining, Irrigation and Drainage, to whom was referred

S. B. No. 546, A bill to be entitled "An Act creating and validating Cameron County Water Control and Improvement District No. Nineteen, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

COUSINS, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Privileges and Elections, to whom was referred

H. B. No. 264, A bill to be entitled "An Act providing the electors voting in the election held for the issuance of bonds within the State of Texas or any political subdivision thereof, shall be the owners of taxable property in the State where such election is held and which has been duly rendered for taxation, and providing the tax collector shall certify list of property owners to election judges, and providing that each such elector shall reside in the precinct in which he votes, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

POAGE, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 540, A bill to be entitled "An Act amending Senate Bill No. 86, Acts of the First Called Session of the Forty-first Legislature by authorizing the receiving of gifts and donations for rehabilitation work, said gifts and donations for rehabilitation work to be deposited in the State Treasury, to the matching of same with Federal funds to a limited amount; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Educational Affairs, to whom was referred

S. B. No. 542, A bill to be entitled "An Act providing for the formation of a county-wide common school district in Kinney County on majority vote of the qualified voters of said county; for the abolition of existing school districts therein; for the election of trustees of said county-wide district; authorizing the levy, assessment and collection of taxes, and elections therefor; prescribing powers and duties of such trustees; enacting other incidental provisions; and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass, and be not printed.

NEAL, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on State Affairs, to whom was referred

H. B. No. 57, A bill to be entitled "An Act to authorize the commissioners court of any county in this State, where the constitutional limit of taxes for general purposes has been levied, having an unexpended balance to the credit of the road and bridge fund from funds derived from license tax, registration fee or other

tax on motor vehicles; to transfer such unexpended balance, or any portion thereof, to the general fund of the county, and providing for the use of such funds when so transferred to the general fund; repealing all laws in conflict herewith, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

WOODUL, Vice-Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Counties and County Boundaries, to whom was referred

H. B. No. 450, A bill to be entitled "An Act amending Chapter 16 of the Acts of the General Laws of the Fourth Called Session of the Forty-first Legislature of the State of Texas so as to provide that seventy-five per cent (75%) of the salary of the county judge may be paid out of the road and bridge fund and the remainder may be paid out of the general fund of the county, and that each county commissioner's salary may be paid out of the road and bridge fund of the county, and declaring an emergency."

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be printed.

FELLBAUM, Chairman.

Committee Room,

Austin, Texas, May 3, 1933.

Hon. Edgar E. Witt, President of the Senate.

Sir: We, your Committee on Public Lands and Land Office, to whom was referred

H. C. R. No. 18, (Proposing for the State to accept title to the De-Zavala Cemetery Park).

Have had the same under consideration, and I am instructed to report it back to the Senate with the recommendation that it do pass and be not printed.

WOODRUFF, Chairman.

Final Disposition of Bills.
SUPPLEMENT.

Number of bill or resolution	Date Filed	Vote	
		House	Senate
S. C. R. No. 25.....	May 2, 1933 4:45 p. m.	Adopted	Adopted
S. C. R. No. 28.....	May 2, 1933 4:45 p. m.	Adopted	Adopted
S. C. R. No. 38.....	May 2, 1933 4:45 p. m.	Adopted	Adopted
S. B. No. 314.....	May 2, 1933..... 4:45 p. m.	Yeas 100 Nays 0 2 present not voting	Yeas 28 Nays 0
H. B. No. 408.....	May 2, 1933 4:45 p. m.	Yeas 107 Nays 0	Yeas 28 Nays 0
H. B. No. 882.....	May 2, 1933 4:45 p. m.	Yeas 112 Nays 0	Yeas 29 Nays 0
H. B. No. 884.....	May 2, 1933 4:45 p. m.	Yeas 111 Nays 0	Yeas 28 Nays 0
H. B. No. 914.....	May 2, 1933..... 9:52 a. m.	Yeas 107 Nays 0	Yeas 23 Nays 8

W. W. HEATH, Secretary of State.

SEVENTIETH DAY.

Senate Chamber,
Austin, Texas,
May 4, 1933.

The Senate met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Lieutenant Governor Edgar E. Witt.

The roll was called, a quorum being present, the following Senators answering to their names:

Beck.	Pace.
Blackert.	Parr.
Collie.	Patton.
Cousins.	Poage.
DeBerry.	Rawlings.
Duggan.	Redditt.
Fellbaum.	Regan.
Holbrook.	Russek.
Hopkins.	Sanderford.
Hornsby.	Small.
Martin.	Stone.
Moore.	Woodruff.
Murphy.	Woodul.
Neal.	Woodward.
Oneal.	

Absent—Excused.

Greer. Purl.

Prayer by the Chaplain.

Pending the reading of the Journal of yesterday, the same was dispensed with on motion of Senator Woodward.

Committee Reports.

(See Appendix.)

Bills and Resolutions.

By unanimous consent the rule relating to the introduction of general bills after the first 52 days of the session was suspended and consent was granted to introduce the following bills:

By Senator Fellbaum:

S. B. No. 548, A bill to be entitled "An Act to amend House Bill No. 842, Chapter 352, of the Regular Session of the Forty-second Legislature, approved May 20th, 1931, and declaring an emergency."